

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

KATIE MALONEY WALLACE,

Plaintiff,

- against -

FUNDATION GROUP LLC,

Defendant.

ORDER

21 Civ. 5681 (PGG)

PAUL G. GARDEPHE, U.S.D.J.:

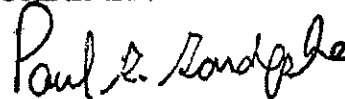
On June 25, 2021, Plaintiff Katie Maloney Wallace filed a petition in Supreme Court of the State of New York, New York County, to vacate in part, and affirm in part, an arbitration award. (Dkt. No. 1-1) Defendant Fundation Group LLC removed the petition to this Court on June 30, 2021. (Dkt. No. 1)

On September 7, 2021, Defendant filed a motion to dismiss the Petition and confirm the arbitration award. (Dkt. No. 12) On September 28, 2021, Plaintiff filed an Amended Complaint. (Dkt. No. 14) The Amended Complaint adds additional factual allegations and a claim for a declaratory judgment modifying the arbitration award to add pre-judgment interest. (*Id.* ¶¶ 132-36) Plaintiff also contends that the motion to dismiss should be denied as moot. (Dkt. No. 15)

Defendant will supplement its motion to dismiss by **December 3, 2021**, to address the new factual allegations and the declaratory judgment claim in the Amended Complaint. Plaintiff will file any opposition by **December 17, 2021**.

Dated: New York, New York
November 19, 2021

SO ORDERED.



Paul G. Gardephe
United States District Judge